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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,390	11/03/2003	Masatomo Igarashi	117654	2745
25944	7590	07/26/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			BEATTY, ROBERT B	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/698,390

Applicant(s)

IGARASHI, MASATOMO

Examiner

Robert Beatty

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8/ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5 and 6 is/are rejected.
- 7) ☒ Claim(s) 3,4,7 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

1. The drawings are objected to because: on page 27, line 11, LED "e" is not shown in the drawings. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The disclosure is objected to because of the following informalities: in the specification, abstract and claims, the applicant should change "count part" to --counter-- since this is more conventional terminology.

Appropriate correction is required.

3. Claims 1-8 are objected to because of the following informalities:

in claim 1, line 2, change "of" should be changed to --on--;

in claims 3-4 and 7-8, the applicant calls for a "base clock" which is different than the previously mentioned clock however confusion between the two can arise when reading the claim. It is suggested that applicant modify (with an adjective) the clock first mentioned in claim 1. Appropriate correction is required.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2, 5-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Rees et al.

Rees teach an image forming apparatus having a rotatable belt 36 having a plurality of latent image forming devices (LED's) 29A, 30A, 32A, and 34A positioned around the belt. The belt will be driven by a drive roller 60 and a tension roller 64. The spacing between the imagers will be a integer multiple of the circumference of the drive roller (col.5, lines 44-65). An encoder 72 will generate clock pulses and is associated with the drive of the drive roller(synchronous speed V1,V2,V3) and an

encoder 74 which generates clock pulses is associated with the tension roller (asynchronous speed V4). See col. 5, line 61 - col. 6, line 2. The encoder outputs are sent to a electronic subsystem (ESS) and counted and further to a error generator 75 which generates an difference error (corresponding to velocity) between the encoder 72 and the encoder 74. The write timing of the imager 34A will be corrected depending on the output from error generator. The encoder signals are counted when the images are started to be formed by imagers 29A, 30A, or 32A in order to determine the speed V1, V2 or V3 and further the encoder signals are counted when the image is started by imager 34A in order to determine a speed V4. The difference between the two will be taken and the write timing of the imager 34A will be corrected in accordance with this difference. It is noted that since the image stations 29A, 30A and 32A are separated by a integer multiple of the circumference of the drive roller, and they travel at the same speed, the encoder will generate a number of pulses corresponding to a multiple of the circumference of the drive roller (e.g. 1000 pulses will correspond to one rotation of the drive roller which will correspond to the distance between the imaging stations). Since the imager timings are controlled by the pulses from the encoder and perfect registration is required, the imagers 30A and 32A will be started at a timing when the number of pulses between the imagers has been counted.

5. Claims 3-4,7-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ng, Castelli, Maruyama et al., Chapman et al., WO ' 287, and JP '375 all teach various timing controls for forming a plurality of latent images.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Beatty whose telephone number is (571) 272-2130. The examiner can normally be reached on M-F from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley, can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1782.

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Robert Beatty
Primary Examiner
Art Unit 2852

July 25, 2005